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August 23, 2022

**BY ECF**

Honorable Lewis A. Kaplan  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Abdelrahman Hassab el Nabi v. City of New York, et al., 21 Civ. 3768 (LAK)

Your Honor:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney assigned to represent defendants City of New York, Sergeant Matthew Tocco, Police Officer Stephen Centore, and Deputy Inspector Elias Nikas. In that capacity, I write jointly with plaintiff's counsel, Tahanie Aboushi, Esq., to respectfully request that this case be referred to the designated Magistrate Judge for purposes of having a settlement conference. The reason for this request is that the parties have had recent discussions about the prospect of settlement that suggest the possibility of resolving this case without any further litigation. To that end, we feel that referral to the designated Magistrate Judge for a settlement conference as soon as is practicable would be the most efficient manner in which to determine whether this case can settle.

Should the Court grant this application, the parties further request that discovery in this matter be stayed pending our completed participation in a settlement conference(s) before the designated Magistrate Judge and that the discovery deadlines be extended by the same amount of time as the stay. The reason for this request is that the parties wish to avoid having to concurrently litigate this matter while at the same time pursuing settlement since the former might complicate the latter considering the significant amount of time, effort and expense necessary for litigation at this stage of discovery. The parties anticipate that we should be able to participate in a settlement conference some time, convenient to the designated Magistrate Judge, in September. Accordingly, we fully expect the requested stay, if granted, to be of a short duration with the realistic prospect that it may end with notice of a settlement. The parties propose that we be permitted to submit a status report on or before September 30, 2022, advising the Court as to whether settlement

discussions were successful, or, in the event we are unable to reach an agreement, with an updated schedule for the completion of discovery.

The parties thank the Court for its consideration herein.

Respectfully submitted,

/s/

Brian Francolla  
*Senior Counsel*  
Special Federal Litigation Division

cc: all counsel of record